

STIPULATION AND ORDER RE  
RESPONSE TO COMPLAINT AND  
CMC  
CASE NO. 12-CV-05265-RS

1 WHEREAS, on March 5, 2013, plaintiffs in the above-captioned action filed a  
2 Consolidated Amended Class Action Complaint (the "Consolidated Amended Complaint");

3 WHEREAS, in light of the parties' agreement to participate in private mediation  
4 proceedings, the parties previously stipulated to extend Defendants' deadline to respond to the  
5 Consolidated Amended Complaint to November 4, 2013, and the Court granted the requested  
6 extension (Dkt. No. 45);

7 WHEREAS, a Case Management Conference in the above-captioned action is scheduled  
8 for December 12, 2013;

9 WHEREAS, on September 13, 2013, the parties participated in a private mediation before  
10 the Honorable Edward A. Infante (ret.);

11 WHEREAS, the parties reached an agreement in principle to settle the above-captioned  
12 action following the mediation;

13 WHEREAS, the parties currently are engaged in drafting settlement documents, which  
14 they anticipate filing with the Court in the near future;

15 WHEREAS, in light of the foregoing, the parties have agreed, subject to Court approval, to  
16 take off calendar: (1) Defendants' deadline to respond to the Consolidated Amended Complaint;  
17 and (2) the Case Management Conference and the related Case Management Conference and ADR  
18 deadlines;

19 WHEREAS, the requested actions are not for the purpose of delay and will not prejudice  
20 any party;

21 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the  
22 undersigned, subject to Court approval, as follows:

23 1. The November 4, 2013 deadline to respond to the Consolidated Amended  
24 Complaint shall be taken off calendar.

25 2. The December 12, 2013 Case Management Conference and related Case  
26 Management Conference and ADR deadlines shall be vacated.

1 Dated: October 31, 2013

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7 Attorneys for Defendant  
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9 Dated: October 31, 2013

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11 Attorneys for Lead Plaintiff The OCZ Investor  
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1 I, Diane M. Walters, am the ECF user whose ID and password are being used to file this  
2 STIPULATION AND [PROPOSED] ORDER REGARDING RESPONSE TO COMPLAINT  
3 AND CASE MANAGEMENT CONFERENCE. In compliance with General Order 45, X.B., I  
4 hereby attest that Norman J. Blears, Daniel P. Lefler, and Nicholas Porritt have concurred in this  
5 filing.

6  
7 Dated: October 31, 2013

WILSON SONSINI GOODRICH & ROSATI  
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**ORDER**

Based upon the foregoing stipulation of the parties and for good cause appearing:

1. The November 4, 2013 deadline to respond to the Consolidated Amended Complaint is vacated.

2. The December 12, 2013 Case Management Conference is vacated and shall be continued until January 23, 2014, and the related Case Management Conference and ADR deadlines are continued in accordance with the January 23, 2014 CMC date.

DATED: 10/31/13

  
\_\_\_\_\_  
THE HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE